

**MINUTES OF THE  
OTTER TAIL COUNTY BOARD OF COMMISSIONERS  
Government Services Center, 500 Fir Ave. W.  
Commissioners' Room  
Tuesday, August 17, 2004  
9:30 a.m.**

**Call to Order**

The Otter Tail County Board of Commissioners convened Tuesday, August 17, 2004, at 9:32 a.m. at the Otter Tail County Government Services Center with Commissioners Syd Nelson, Chair; Bob Block, Vice-Chair; Roger Froemming, Dennis Mosher, and Malcolm Lee present.

**Approval of Agenda**

Motion by Froemming, second by Mosher, and unanimously carried to approve the County Board agenda of August 17, 2004, with the following addition:

11:45 a.m. – Personnel Request

**Approval of Minutes**

Motion by Block, second by Froemming, and unanimously carried to approve the County Board minutes of August 10, 2004, as mailed.

**Approval to Pay Bills**

Motion by Mosher, second by Lee, and unanimously carried to approve payment of the County Board bills per Attachment A of these minutes, which includes the following lodging payment: Northern Inn, Inspector, Eric Babolian

**Resolution for Acreage Modification in the Fergus Falls JOBZ Subzone  
Otter Tail County Resolution No. 2004 - 38**

Commissioner Block offered the following and moved its adoption:

**WHEREAS**, the Otter Tail County Board of Commissioners, on September 9, 2003, passed a resolution approving certain County parcels to be included in a regional application for a Job Opportunity Building Zone; and

**WHEREAS**, the City of Fergus Falls was a participant in the regional Job Opportunity Building Zone application done by the West Central Initiative Fund; and

**WHEREAS**, the regional application submitted by the West Central Initiative Fund was approved by the Department of Employment and Economic Development; and

**WHEREAS**, whereas the City of Fergus Falls wishes to modify the acreage in their Job Opportunity Building Subzone; and

**BE IT RESOLVED**, the Otter Tail County Board of Commissioners upon careful consideration and review hereby approve the modifications as identified in the following table:

Owner/Developer	Parcel Number	Acreage	Modification
Fergus Falls:			
Midwest Regional Development	71003500195007	27.59	
Merwin Adams	71003500195904	3.45	
Merwin Adams	71003500202005	40.35	
Aasness/Bjorgum	71003500195050	2.81	
Aasness/Bjorgum	71003991519000	.46	
Aasness/Bjorgum	71003500195039	2.47	
DFA	71003500003000	2.7	
DFA	71003500004002	2.03	
DFA	71003500002000	1.96	
DFA	71003500004004	22.44	
Jason Hintermeister	71003500006000	7.17	
Fergus Falls Port Authority	71003990853901	.46	
Fergus Falls Port Authority	71003500004006	2.38	
City of Fergus Falls	71003500004005	6.61	
Burlington Northern Railroad	71001500048000	.99	
State of Minnesota	71003500007000	77.17	
Thiele Technologies	71003991430006	1.38	
Daniel Larson	71003991430901	1.20	
Fergus Falls Port Authority	71003991430005	1.33	
Fergus Falls Port Authority (UPS)	71003991430004	1.32	
Fergus Falls Port Authority	71003991550000	5.88	
Fergus Falls Port Authority	71003500007008	1.01	
Fergus Falls Port Authority	71003991558000	5.13	
Fergus Falls Port Authority	71003991559000	5.36	
Fergus Falls Port Authority	71003991560000	7.52	
TNT Properties LTD	71003991551000	10.38	
Robert Bunkowski	26000320196000	79.40	
Mark Thorson	06000010004003	18.50	
Mark Thorson	06000010008000	71.23	Reduced by 7.74 acres
Mark Thorson	06000010009000	38.61	
Thomas C. Graham and Henry C. Harms	71003991532000	1.03	
Robert W. & Helen D. Johnson	71003991430002	1.32	Parcel Added
ShoreMaster, Inc.	71003991433000	6.42	Parcel Added

Commissioner Mosher seconded the motion and upon being put to a vote, the above resolution was adopted as follows:

Yes: 5  
 No: 0  
 Absent: 0

Dated: \_\_\_\_\_

OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: \_\_\_\_\_

Sydney Nelson, County Board Chair

Attest: \_\_\_\_\_

Larry Krohn, Clerk

**Henning Transfer Station Road**

Alan Haugdahl, Chairman of Henning Township, provided copies of a traffic study summary completed on the Henning Transfer Station Road, dated August 9 – August 16, 2004. The survey was compiled by Doris Schallock. Other statistics regarding the dollar value of waste and expense of operation was presented comparing all five County-owned transfer stations. Lengthy discussion followed regarding the possibility of paving this road and the County's financial offer to pave the road, even though this is a Township road. County Board members offered the following agreement to the Henning Town Board: Otter Tail County would pay for 75% of the cost to pave the Henning Transfer Station Road. Henning Township would be responsible for 25% of the cost with one-fifth of that cost payable to Otter Tail County in 2006 and a payment each year until completion of obligation in 2010. The project must be completed in CY2005 in conjunction with a construction project scheduled on County Road No. 65. Otter Tail County would not be responsible for on-going maintenance after the completion of asphalt surfacing in 2005. There will be no user fee collected at the Transfer Station with this agreement. The Henning Town Board will consider this offer and return to the County Board by October 1, 2004, with a decision.

**Final Payment – S.A.P. 56-610-10 MU**

Motion by Lee, second by Mosher, and unanimously carried to authorize Final Payment, payable to Robert R. Schroeder Const., Inc. of Glenwood, MN, in the amount of \$10,760.50 per Estimate No. 13 for work completed on Bridge #56531 in Elizabeth, as recommended by the Highway Engineer.

**Printing Costs for Truth in Taxation Statements**

Motion by Froemming, second by Block, and unanimously carried to authorize contracting with NBS for the printing and mailing of the Payable 2005 Truth in Taxation Statements at a cost of \$0.1233 per notice plus postage and a \$200.00 Administrative Fee.

**Safety Information**

Safety Director, Tiny Holm, invited Commissioners to the annual Truck Rodeo scheduled for September 16, 2004. He presented a Safety Committee Survey based on 156 responses. Overall, the survey showed that employees feel that the Safety Committee is doing a good job. The Safety Committee will review several specific safety issues identified by employees in the survey.

**Bid Award – 505 Court Street Remodeling, Project No. 0202-6**

After previously advertising for bids, Architect, David Shultz, opened the following bids at 1:30 p.m. on Wednesday, August 4, 2004, for Project No. 0202-6, Remodeling of the 505 Court Street Building:

CONTRACTORS	BASE BID	ALTERNATIVE BIDS			DAYS
<b>CW—Civil Water Service:</b>					
Delzer Construction	\$22,710.00				
<b>GC—General Construction:</b>		<b>GC-1</b>	<b>GC-2</b>	<b>GC-3</b>	
All Building Corporation	\$804,000.00	\$169,000.00	\$6,100.00	\$9,900.00	180
Bjorgan Construction, Inc.					
Comstock Construction	\$749,900.00	\$161,600.00	\$8,400.00	\$8,600.00	170
Jerome Getz Construction	\$674,291.00	\$151,520.00	\$6,355.00	\$13,475.00	150

Minko Construction	\$874,300.00	\$162,000.00	\$6,300.00	\$3,000.00	420
R.A. Bristlin & Son Construction	\$700,000.00	\$119,000.00	\$22,500.00	\$24,500.00	150
Woessner Construction					
<b>FP—Fire Protection:</b>		<b>FP-1</b>			
Nova Fire Protection	\$62,000.00	\$3,292.00			
Summit Fire Protection					
Total Fire Protection					
Viking Sprinkler					
<b>MC—Mechanical Construction:</b>		<b>M-1</b>			
Alexandria Plumbing & Heating					
Carl E. Johnson Mechanical					
Custom Aire, Inc.					
Dakota Heating & Plumbing	\$302,000.00	\$21,200.00			
Grant's Mechanical	\$277,500.00	\$17,550.00			
Heartland Plumbing, Inc.	\$297,200.00	\$13,180.00			
J.V. Schmidt Plumbing & Heating					
Manning Mechanical	\$258,880.00	\$17,100.00			
Peterson Mechanical	\$269,800.00	\$20,200.00			
Peterson Sheet Metal	\$303,600.00	\$5,229.00			
Ugstad Plumbing & Heating					
Overland Mechanical	\$331,000.00	\$18,900.00			
<b>TC—Temperature Controls:</b>		<b>TC-1</b>			
G&R Controls	\$38,500.00	\$650.00			
<b>EC—Electrical Construction:</b>		<b>E-1</b>			
Fergus Electric	\$289,300.00	\$4,350.00			
Frazee Electric	\$253,920.00	\$2,543.00			
GTS Electric					
Scott's Electric	\$282,200.00	\$3,000.00			
Wahpeton Electric	\$230,000.00	\$7,838.00			

After discussion, a motion was offered by Lee, seconded by Block, and unanimously carried to award the bids for the 505 Remodeling Project (0202-6) as follows in the total amount of \$1,452,765.58:

Bid Request	Bidder	Bid	Garage Deduct	Negotiated Changes	Bid Award
Civil Water Service	Delzer Const.	\$ 22,710.00	\$	\$	\$ 22,710.00
General Const.	R.A. Bristlin	700,000.00	(119,000.00)	(22,259.00)	558,741.00
Fire Protection	Nova Fire Prot	62,000.00	(3,292.00)		58,708.00
Mechanical	Manning Mech.	258,880.00	(17,100.00)	(1,516.00)	240,264.00
Temperature Controls	G& R Controls	38,500.00	(650.00)		37,850.00
Electrical Const	Wahpeton Elec.	230,000.00	(7,838.00)	(8,500.00)	213,662.00
<b>Subtotals</b>		1,312,909.00	(147,880.00)	(32,275.00)	1,131,935.00

Furnishings	Coopers Office Supply and Interium	164,188.41	(8,357.83)		155,830.58
Construction Contingency		65,735.00			65,735.00
A/E Compensation		99,265.00			99,265.00
<b>Totals</b>		1,641,278.41	(156,237.83)	(32,275.00)	1,452,765.58

**Recess & Reconvene**

At 10:53 a.m., Chairman Nelson declared the meeting of the Otter Tail County Board of Commissioners recessed for a short break. The meeting was reconvened at 11:02 a.m.

**Planning Commission Recommendations**

**Conditional Use Permit – Bob Caulfield/Marc Shannon:**

Motion by Nelson, second by Lee, and unanimously carried to approve a Conditional Use Permit to approve the original drainage plan with a condition as recommended by the Planning Commission. The property is described as Lot 5 & 6 Jerry Marg Beach 2<sup>nd</sup> Addition, Section 7 of Hobart Township; Lake Seven/Scalp (56-358).

**Conditional Use Permit – Rod Ebersviller & Todd/Jon Ebersviller:**

Motion by Block, second by Mosher, and carried with Lee opposed, to approve a Conditional Use Permit to construct cedar timber access steps to the beach to provide the base for a portable wheelchair access ramp with a condition as recommended by the Planning Commission. The property is described as Lots 12 & 13, Blk 4, Crystal Lida Beaches, Section 11 of Lida Township; Crystal Lake (56-749).

**Conditional Use Permit – Otter Tail County Highway Department:**

Motion by Froemming, second by Mosher, and unanimously carried to approve a Conditional Use Permit for S.A.P. No. 56-674-02, reconstruction of CSAH 74 from CSAH 35 to 330<sup>th</sup> Ave as presented. The project is located on CSAH 74, from CSAH 35 East to 330<sup>th</sup> Ave, (3 miles) in Sections 15 & 16, Maine Township; Maine Lake (56-1520) and Round Lake (56-476).

**Conditional Use Permit – Timothy & Christy Buss:**

Motion by Nelson, second by Froemming, and unanimously carried to approve a Conditional Use Permit to level a lot for future new home construction with conditions as recommended by the Planning Commission. The property is described as Lot 5, Blk 1 Pine Lake Shores, in Section 35 of Gorman Township; Little Pine Lake (56-142).

**Preliminary Plat & Conditional Use Permit – “Hidden Acres”/LeRoy & Mary Jean Nelson & Valera E. Horak:**

Motion by Mosher, second by Block, and unanimously carried to deny the Preliminary Plat known as “Hidden Acres” consisting of 12 single family residential lots and the Conditional Use Permit to build a road to service the proposed plat. The denial was based on the reasons as listed in the August 11, 2004, Planning Commission minutes. The property is described as Lots 1 & 9 (57.96 ac) & Pt GL 1 (1.31 ac) in Section 32 and Pt Lot 1 (38.12 ac) & Pt GL 1 (12.98 ac) in Section 33 of Tordenskjold Township; Stalker Lake (56-437).

Conditional Use Permit – Woodland Beach Resort/Eugene B. Floersch, Jr:

Motion by Mosher, second by Froemming, and unanimously carried to approve a Conditional Use Permit to remodel resort as presented and recommended by the Planning Commission. The property is described as Pt GL 3, Section 2, Everts Township; Otter Tail Lake (56-242).

Conditional Use Permit – Robert W. Johnson:

Motion by Lee, second by Froemming, and unanimously carried to approve a Conditional Use Permit to build a driveway as presented with a condition as recommended by the Planning Commission. The property is described as Lot 1 ex trs & Lot 2 (54.22 ac) and SW $\frac{1}{4}$  NW $\frac{1}{4}$  & Lots 2 & 3 ex tr (121.46 ac) and Lots 4 & 5 ex tracts & Lots 6 & 7 (123.56 ac), Section 4 & 5 of Lida Township; Rush-Lizzie (56-760A).

Conditional Use Permit – Frank Holzer:

Motion by Nelson, second by Lee, and unanimously carried to deny a Conditional Use Permit to place drain tiles in drainage ditch and fill. The reason for the denial is that a natural vegetation and landscaping alternative has been identified as stated in the Planning Commission minutes dated August 11, 2004. The property is described as Pt of GL 4, Section 15 of Pine Lake Township; Big Pine Lake (56-130).

Conditional Use Permit – Charles C. Kvare:

Motion by Lee, second by Mosher, and unanimously carried to approve a Conditional Use Permit to build a road with a condition as recommended by the Planning Commission. The property is described as NE  $\frac{1}{4}$  ex trs (140.71 ac) Section 18 of Dunn Township; Pelican Lake (56-786).

Conditional Use Permit – Three Seasons Lodge, LLC:

Motion by Froemming, second by Block, and unanimously carried to approve a Conditional Use Permit to remove current cabin number 5 and replace it with a new cabin structure on Three Seasons Lodge Resort as presented. The property is described as Pleasant Grove Lots 24 – 30 & Pt of GL 2, Section 32 of Amor Township; Otter Tail Lake (56-242).

Conditional Use Permit – David Wenzel, KW Properties & Terry Karkela:

Motion by Nelson, second by Froemming, and unanimously carried to approve a Conditional Use Permit for construction of an easement road with a condition as recommended by the Planning Commission. The property is described as Pt GL 1 & Pt SW $\frac{1}{4}$  NE $\frac{1}{4}$  ..(9.05 ac), Pt GL 1...(5.07 ac) & Pt GL 1 ...(5.12 ac), Section 4 of Dead Lake Township; Bolton (56-318).

Preliminary Plat & Conditional Use Permit – “West Leaf South View”/Daryl Zeise, Brad K. & Brian K. Carr:

Motion by Froemming, second by Mosher, and unanimously carried to approve the Preliminary Plat known as “West Leaf South View” as presented in the revised drawing dated July 23, 2004, and to approve a Conditional Use Permit to construct a road to service the proposed plat. The property is described as Pt of GL 2 & N $\frac{1}{2}$  NE $\frac{1}{4}$ , SE $\frac{1}{4}$  NE $\frac{1}{4}$  & Pt of GL 2 ...(151.51 ac), Section 17 of Leaf Lake Township; West Leaf Lake (56-114).

**Final Plat**

Motion by Lee, second by Mosher, and unanimously carried to approve the Final Plat of Douglas & Nancy Hanson and Brad & Roxanne Carr known as “Long Lake Maple View” located in Section 13 & 14 of Dead Lake Township on Long Lake (56-784).

**Fish & Wildlife Grant Agreement**

Motion by Froemming, second by Block, and unanimously carried to authorize the appropriate County officials' signature(s) to execute a Grant Agreement between the County of Otter Tail and the US Fish & Wildlife Service to assist in weed control on Fish & Wildlife properties. The County's budget for weed control for 2005 will be used as a basis for the local match for the grant.

**Recess & Reconvene**

At 11:35 a.m., Chairman Nelson declared the meeting of the Otter Tail County Board of Commissioners recessed for a Personnel Committee Meeting. At 11:40 a.m., Chairman Nelson reconvened the Board of Commissioners meeting in open session.

**Replacement of Probation Officer Position**

Motion by Lee, second by Mosher, and unanimously carried to authorize the Court Services Director to replace a vacant Probation Officer position as recommended by the Personnel Committee. This Probation Officer position is subject to caseload/workload grant reimbursement.

**Post Employment Health Plan**

Motion by Mosher, second by Lee, and unanimously carried to authorize a Post Employment Health Plan for the Teamsters Public and Law Enforcement Employees Union, Local No. 320, Detention Facility Unit, as presented by a Memorandum of Agreement and to authorize the County Coordinator to sign the agreement.

**Recess**

At 11:45 a.m., Chairman Nelson declared the meeting of the Otter Tail County Board of Commissioners recessed for lunch break.

**Reconvene in Closed Session**

**Adjournment**

At 1:00 p.m., Chairman Nelson declared the meeting of the Otter Tail County Board of Commissioner closed to the public for the purpose of evaluating the performance of Assessor, Bob Moe, pursuant to M.S. Chapter 13D.05 Subd. 3. All five seated commissioners were present for the evaluation. A summary of performance conclusions will be provided at the next regular County Board meeting. At 1:30 p.m., upon conclusion of the performance evaluation, Chairman Nelson declared the meeting of the Otter Tail County Board of Commissioners adjourned until Tuesday, August 24, 2004.

Dated: \_\_\_\_\_

OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: \_\_\_\_\_

Sydney Nelson, County Board Chair

Attest: \_\_\_\_\_

Larry Krohn, Clerk